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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,214	04/24/2001	Erich Walter Frank	41496	2756

7590 07/31/2002  
Roylance Abrams Berdo & Goodman  
1300 19th Street N W Suite 600  
Washington, DC 20036

EXAMINER

ADDISON, KAREN B

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 07/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/830,214

Applicant(s)

FRANK, ERICH WALTER

Examiner

Karen B Addison

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 4 recites the limitation " the two bands" in line 1. There is insufficient antecedent basis for this limitation in the claim.
3. Claim 5 recites the limitation " the two bands" in line 1. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1, is rejected under 35 U.S.C. 102(b) as being anticipated by Kawakami (W097/26700).

Kawakami discloses in fig.4-27 a combined motor/generator device comprising: rotor (4) and a stator (12); wherein coil windings (50) having at least two winding ends (fig.18, U, V, Y) arranged on the stator having a circumferential layout direction following one after the other, and the various coils windings ends of the various coil windings are electrically connected with one another forming groups of connections where by; the device includes; a connection device for connecting the winding ends(U4,V4,W4) of the group of connections with electrically conductive distributors(38,44,42). Where in the distributors is one integral piece and is guided towards the exterior to form a connection device (40), and the groups of connections can be electrically contacted through the connection devices on the exterior of the device.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6-11,13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawakami in view of Strong III (EP0213863).

Kawakami disclose substantially the claim invention including: two conductive bands (51a, 52a) arrange axially one behind the other concentrically having different diameters. Wherein, the distributors (38,44,42) are arranged electrically isolated from one another in a receiving means (B) of the connection device, which can be axially mounted on the stator and sealed shut. Kawakami do not disclose the distributor in the form of a plug element (col 5. line 5-10), the distributor having cutting or clamping device on the electrical connection associated with the windings and the bands essentially in a semi-circle.

Strong discloses a connector for a motor/generator in fig.1 and 4 mounted on the distributor 70 of the stator. Wherein, the distributor (70) includes conductors (71- 78) interconnected and embedded in the distributor. Strong also disclose an alternative structure wherein; the conductor may be formed on a distributor and plugged into an external socket for the purpose of energizing the stator coils. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made

to modify the motor of Kawakami with the connector of Strong for the purpose of simplifying assembly.

6. Claim 3,4, and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Kawakami in view of Strong III as applied to claims 1,2,6-11,13 and 14 above, and further in view of Morreale (4224543) and Kodo (EP0863601).

As seen above in paragraph 4 and 5, Kawakami discloses motor / generator and strong discloses a connector for a motor/generator. However, neither Kawakami nor Strong discloses the distributor having cutting or clamping devices on the electrical connection associated with the windings and the conductor bands essentially in a semi-circle.

Morreale discloses in fig.1 a motor comprising: a stator (12), a distributor (22) secured to end position of the stator having conductor (28) shape as a clamp for the purpose of electrically interconnection the coil windings.

Kondo discloses in fig.1-6 a connection configuration for a stator (2) comprising: coil windings having at least two winding ends (U, V, Y) arranged on the stator having a circumferential layout direction following one after the other, and the various coils windings ends of the various coil windings are electrically connected with one another forming groups of connections (where by; the device includes; a connection device for connecting the winding ends (U4, V4, W4) of the group of connections with electrically conductive bands (3,4,5) essentially in a semi-circle for the purpose of reducing wiring

material and the steps of the connections process. Therefore, it would have been obvious to one having ordinary skill in the art at the the invention was made to modify the motor of Kawakami and the connector of Strong with the conductive clamp of Morreale and stator connection of Kondo for the purpose of obtaining greater connection area and increasing stability of the connection.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawakami in view of Adams (5065059).

As seen above in paragraph 4 and 5 Kawakami substantially discloses the claim invention. However, Kawakami does not disclose flexible retaining ring.

Adams teaches in fig.2-4 a coil connector for an motor comprising: pair of flat conductive bands (50,52) interconnected by a flexible retaining ring (40) for the purpose of providing an electrical connection between the two bands. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the electric motor of Kawakami with the retaining ring of Adams for the purpose of providing adequate current capacity and improve connection between conductive bands.

Referring to claims 8-12, no patentable weight has been given to the method of manufacturing limitations (i. e. Embedding, tight fasting, dipping) since "even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not

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depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." *In re Thorpe*, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985)


**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen B Addison whose telephone number is 703-306-5855. The examiner can normally be reached on 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1317. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

KBA  
July 29, 2002

  
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